DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 07/16/2010 have been fully considered but they are not persuasive. Applicant argues that the cited art fails to teach the following limitation: " a processor operative to automatically enable a network connection, responsive to said emergency alert signals, to a source of information related to the emergency alert function and retrieve updated information related to the reception or processing of said emergency alert signals included on a tuned frequency by said emergency alert function" as described in Claim 1. Examiner respectfully disagrees.

Vanderbale discloses a weather alert system where a receiver (Figure 1 item 12) constantly scans the spectrum of available National Weather Service broadcast frequencies [Col. 3 lines 37-45], where a signal detector (Figure 1 item 14) receives the output by the receiver 12 and generates an activation signal to activate a network connection to the television [Col. 2 lines 54-63].

Applicant further argues that "Vanderable discloses various possibilities for how a signal may be received (i.e., RF receiver, or network), but does not describe initiation of a connection in response to reception of a signal on a tuned frequency. Vanderable simply turns on a television and set it to a particular channel in response to the signals, if a network connection is used in Vanderable, it would have already been established to allow receipt of an alert, not enabled in response to receipt of the alert." Examiner respectfully disagrees. Vanderable shows a radio broadcast receiver capable of detecting an alert signal and hence initiating a television connection to a particular

channel in response to the detected alert signal. Applicant's Claims require a television receiver capable of detecting an alert signal and in turn initiating an internet connection to a particular website in response to the detected alert signal. Therefore the claims require a system with two different communication networks. This is exactly whats being taught in Vanderable, where a Radio network is being used to receive the alert signal which in turn sends a control signal to the remote controller to tune the television to a particular channel with updated weather information. Therefore, one of ordinary skill in the art would have applied the teachings of Vanderable in Zimmerman's system to provide up to date emergency geographic specific information for civilian safety.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-30 rejected under 35 U.S.C. 103(a) as being unpatentable over Zimmerman (US Patent Publication No. 2003/0093789) in view of Vanderable (U.S. Patent No. 6,204,761).

> Regarding Claim 1, 11, and 21, Zimmerman television signal receiver having an emergency alert function, comprising: a tuner operative to tune a frequency including emergency alert signals indicating an emergency event**[0011];** a memory operative to store information associated with the emergency alert

function **[0035]**, said memory further operative to receive updated information associated with the emergency alert signals included on a tuned frequency by said emergency alert function **[0036]** and replace said stored information associated with the emergency alert function with said updated information retrieved via said network connection **[0064]**.

Zimmerman fails to disclose a processor operative to automatically enable a network connection, responsive to said emergency alert signals, to a source of information related to the emergency alert function and retrieve updated information related to the emergency alert signals included on a tuned frequency by said emergency alert function. In an analogous art, Vanderable discloses a processor **[Col. 4 lines 18-20]** operative to automatically enable a network connection, responsive to said emergency alert signals, to a source of information related to the emergency alert function and retrieve updated information related to the emergency alert signals included on a tuned frequency by said emergency alert function **[Col. 2 lines 49-62 & Col. 3 lines 55-60].**Therefore it would have been obvious to one of ordinary skill in the art to combine the teachings of Zimmerman and Vanderable to provide up to date emergency geographic specific information for civilian safety.

Regarding Claim 2, 12, 22, Zimmerman discloses that the updated information comprises geographical area information **[0005** *Zimmerman's apparatus sends emergency broadcast alerts regarding the affected geographical area***].**

Regarding Claim 3, 13, and 23, Zimmerman discloses the geographical area information comprises location code. **[Figure 1 Memory 170** *has an Emergency Code unit* **180** *that stores location codes***]** Although it is not clearly shown to be FIPS, it would have been obvious to ordinary skill in the art to include the six-digit Federal Information Processing System (FIPS) since it is an industry standard and not using it would be more costly and not reach as many households.

Regarding Claim 4, 14, and 24, Zimmerman discloses that the updated information in the television signal receiver comprises transmission frequency information **[0069** *Tuner* **310** *down converts select frequency channels of the received broadcast content stream to video, audio and other signals that are processed in standby mode circuitry* **316** *and monitored by content monitoring system 200***].**

Regarding Claim 5, 15, and 25, Zimmerman discloses that the updated information is provided via a website **[0069** *Antenna* **305** *receives broadcast content streams from television broadcast stations, radio broadcast stations, Internet Websites, and the like***].**

Regarding Claim 6, 7, 16, 17, 26, and 27, Zimmerman discloses in **Figure 2** a processor operative to automatically enable a connection to the website responsive to the emergency alert signals **[0046]**.

Regarding Claim 8, 18, and 28, Zimmerman discloses that the emergency alert signals include hyperlink data that enables access to the website **[0041** *select data retrieved over the Internet or the like, including, for instance, some metadata***].**

Regarding Claim 9, 19, and 29, although Zimmerman does not explicitly disclose the updated information being periodically updated, it would have been obvious to one of ordinary skill in the art to include this feature in the system since emergency broadcast have a calamitous need to be up to date for civilian safety.

Regarding Claim 10, 20, and 30, Zimmerman discloses that the updated information is used to setup the emergency alert function **[0019 & 0020]**.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAHAR A. BAIG whose telephone number is (571)270-3005. The examiner can normally be reached on Monday-Friday (8:00 - 4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Christopher Kelley/
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